

Clon Communications, LLC

Redacted For Public Inspection

12/29/2009

Marlene H. Dortch, Office of the secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Subject: Clon Communications, LLC – Quarterly PIU Report for 3rd Quarter 2009 (revenues generated from July 1, 2009 to September 30, 2009), WC Docket No. 05-68

Dear Secretary Dortch,

Clon Communications, LLC pursuant to Sections 0.457 and 0.459 of the Commission's Rules, 47 C.F.R. §§0.457, 0.459 (1994), hereby provides the following redacted version (made available for public inspection) of the Certification marked and filed as "Confidential" with the Commission pursuant to the applicable rules.

Clon Communications, LLC requests that the confidential version of this Certification sent to the Commission prior, be treated as a confidential document not subject to public inspection. This Certification contains information regarding Clon Communications, LLC's calling card traffic patterns and revenue – information that would not otherwise be available to the public.

Due to the confidential nature of such data, Clon Communications, LLC hereby requests that the confidential version of this Certification sent to the Commission prior, be treated as a confidential document not subject to public inspection. Accordingly, the confidential version of this Certification sent to the Commission prior of Clon Communications, LLC has been marked "Confidential – Not for Public Inspection" and as such, was submitted prior to the commission via a separate submission. To differentiate this redacted version of the Confidential Certification from the actual Confidential version of the Certification, this redacted version is marked "Redacted For Public Inspection". Clon Communications, LLC provides justification for the confidential treatment of this data in Attachment 1 to this letter. Clon Communications, LLC is also submitting, under separate cover, for inclusion in the Commission's public files, a redacted version of this Certification. The redacted version marked "Redacted – For Public Inspection" With the confidential data redacted.

## Attachment 1

Clon Communications, LLC requests confidential treatment of the information being provided in its Prepaid Calling Card Provider FCC Quarterly Certification ("Certification") because this information is competitively sensitive and its disclosure would have a negative competitive impact on Clon Communications, LLC were it made publicly available. Such data would not ordinarily be made available to the public, and should be afforded confidential treatment under 47 C.F.R. §§0.457 and 0.459.

### 47 C.F.R. §§0.457

Specific information in the Certification is confidential and proprietary to Clon Communications, LLC as "trade secrets and commercial or financial information" under Section 47 C.F.R. § 0.457(d). Disclosure of such data to the public would risk revealing company-sensitive proprietary data in connection with Clon Communications, LLC with ongoing business and operations.

### 47 C.F.R. §§0.459

Specific data in the Certification is also subject to protection under 47 C.F.R. §0.459, as demonstrated below.

### Information for which confidential treatment is sought

Clon Communications, LLC requests that specific data in the Certification, marked as "[Redacted]" be treated on a confidential basis under Exemption 4 of the Freedom of Information Act. The data designated as confidential is information regarding Clon Communications, LLC percentage of intrastate, interstate and international calling card minutes. This data is competitively sensitive data that Clon Communications, LLC maintains as confidential and is not normally made available to the public. Release of the data would have a substantial negative impact on Clon Communications, LLC since it would provide competitors with commercially sensitive data. The non-redacted version of Clon Communications, LLC filing is marked as "Confidential – Not For Public Inspection".

Commission proceeding information is submitted as Clon Communications, LLC's Prepaid Calling Provider FCC Quarterly Certification in WC Docket No. 05-68.

### Degree to which the data in question is commercial or financial, or contains a trade secret or is privileged

The information designated as confidential is information regarding Clon Communications, LLC's percentage of intrastate, interstate and international calling card minutes. As noted above, the data is competitively sensitive data, which is not normally released to the public as such release would have a substantial negative competitive impact on Clon Communications, LLC.

Degree to which the information concerns a service that is subject to competition and manner in which disclosure of the information could result in substantial harm

The release of this confidential and proprietary information would cause Clon Communications, LLC competitive harm by allowing its competitors to become aware of sensitive proprietary information regarding the operation of Clon Communications, LLC's business.

Measures taken by Clon Communications, LLC to prevent unauthorized disclosure: and availability of the information to the public and extent of any previous disclosures of the information to third parties.

Clon Communications, LLC has treated and continues to treat the non-public information disclosed in this Certification as confidential and has protected it from disclosure to parties outside of the company.

Justification of the period during which Clon Communications, LLC asserts that the materials should not be available for public disclosure

Clon Communications, LLC cannot determine at this time any data on which this information should not be considered confidential.

Other information Clon Communications, LLC believes may be useful in assessing whether its requests for confidential

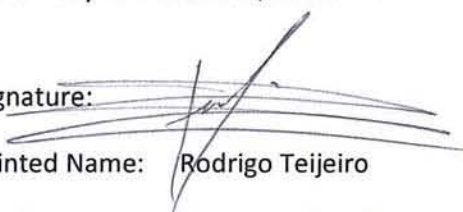
Under applicable Commission decisions, the information in question should be withheld from public disclosure.



Certification of Clon Communications, LLC

1. Pursuant to 47 C.F.R. § 64.5001 (c), the undersigned hereby certifies that he is an officer of Clon Communications, LLC; and that to the best of my knowledge, data or belief, all statements of fact contained in this certification are true and that said certification is an accurate statement of the data set forth herein for the reporting period of 3rd Quarter 2009 (revenues generated from July 1, 2009 to September 30, 2009)
2. The following is the percentage of intrastate, interstate, and international calling card minutes for the above stated reporting period.
  - a. Percentage of intrastate calling card minutes: [Redacted]
  - b. Percentage of interstate calling card minutes: [Redacted]
  - c. Percentage of international calling card minutes: [Redacted]
3. The percentage of total prepaid calling card service revenue (excluding revenue from prepaid calling cards sold by, to, or pursuant to contract with Department of Defense (DoD or a DoD entity) attributable to interstate and international calls for the reporting period were as follows:
  - a. Interstate: [Redacted]
  - b. International: [Redacted]
4. Clon Communications, LLC is contributing to the required Universal Service Fund based on the reported data, to the extent required by the applicable Commission regulations.
5. Clon Communications, LLC has complied with the reporting requirements described in paragraph (a) of 47 C.F.R. § 64.5001, by providing the required reports to carriers from which transport Services are purchased [OR: Primus has provided the reports required under paragraph (a) of 47 C.F.R. § 64.5001 to carriers from which transport services are purchased.]

The foregoing certification is made under penalty of perjury of the law of the State / Commonwealth of Delaware (home state of Clon Communications LLC) on this, the 29<sup>th</sup> day of December, 2009.

Signature: 

Printed Name: Rodrigo Teijeiro

Position: Managing Member